

#5



Attorney's Docket No. 045106.242991

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Jian Zhao	Confirmation No.: 7678
Appl. No.:	10/051,257	Group Art Unit: 2681
Filed:	January 18, 2002	
For:	SOFT HANDOVER METHOD FOR CDMA MOBILE COMMUNICATION SYSTEM	

December 16, 2002

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

In reviewing the Filing Receipt for the above-referenced application, Applicant notes that errors appear as noted on the enclosed copy of the Filing Receipt. Applicant requests that a corrected Filing Receipt be issued. In particular, Applicants respectfully submit that the present case should be listed as a continuation of PCT/CN01/00797, as shown on the attached copy of the Filing Receipt.

Applicants respectfully submit that a proper priority claim to the PCT application was made within four months of the filing of the present application as required by 37 CFR 1.55. In particular, as set forth in the third paragraph of MPEP 201.14(b), a claim for priority "may appear in the oath or declaration, an application data sheet (37 CFR 1.76), or the application transmittal letter with the recitation of the foreign application." See MPEP 201,13 paragraph A. Applicants filed a declaration concurrent with the filing of the present application that claimed priority on both the PCT application and the Chinese priority application. Therefore, Applicants

respectfully submit that a proper priority claim to the PCT application was made in the present case.

Respectfully submitted,




Andrew T. Meunier  
Registration No. 40,726

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Atlanta Office (404) 881-7000  
Fax Atlanta Office (404) 881-7777

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner for Patents, Office of Initial Patent Examination, Customer Service Center,  
Washington, DC 20231, on December 16, 2002.

  
\_\_\_\_\_  
Barbara Yates

FEB 17 2002

MBP



UNITED STATES PATENT AND TRADEMARK OFFICE

Received By \_\_\_\_\_

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/051,257	01/18/2002	2681	740	45106/242991	2	5	1

CONFIRMATION NO. 7678

00826

ALSTON &amp; BIRD LLP

BANK OF AMERICA PLAZA

101 SOUTH TRYON STREET, SUITE 4000

CHARLOTTE, NC 28280-4000

## FILING RECEIPT



\*OC000000007477515\*

Date Mailed: 02/14/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jian Zhao, Guangdong, CHINA;

## Assignment For Published Patent Application

Huawei Technologies Co., Ltd.;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF PCT/CN01/00797 05/15/2001

## Foreign Applications

CHINA 00107632.9 05/19/2000

If Required, Foreign Filing License Granted 02/14/2002

Projected Publication Date: 05/23/2002

Non-Publication Request: No

Early Publication Request: No

## Title

Soft handover method for CDMA mobile communication system

## Preliminary Class

RECEIVED  
HCP/ly  
2-19-02

455

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).